

RECEIVED
CENTRAL FAX CENTER

JUN 07 2004

OFFICIAL
ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
Phone: (314) 621-5070
Fax: (314) 621-5065
www.armstrongteasdale.com

**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Date: June 7, 2004

Examiner: Hong, John C. : **RE: U.S. Patent Application**
Art Unit: 3729 : **Serial No.: 10/065,514**
Fax: (703) 872-9306 : **Applicant: Terry Duane Evans.**
From: Robert E. Slenker : **Atty. Dkt. No.: 20493/1**

DOCUMENTS SUBMITTED WITH TRANSMISSION:

Cover Sheet (1 pg.)

Transmittal for Response to Restriction Requirement (3 pgs.)

Restriction Requirement (2 pgs.)

Total pages including cover page: 6 pgs.


If all pages are not received, please contact: Gail Maloney at ext. 7458

RE: The above referenced U.S. Patent Application
For: APPARATUS AND METHOD FOR INSTALLING SLATS
FILED: October 25, 2002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-referenced Documents are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (703) 872-9306 on the date shown below.

Date: June 7, 2004


Robert E. Slenker, Reg. No. 45,112

The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.

***IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT US IMMEDIATELY AT (314) 621-5070.**

OFFICIAL

20493/1
PATENT

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **FEDERAL FAX CENTER**

JUN 07 2004

Applicant: Terry Duane Evans

Serial No.: 10/065,514

Filed: October 25, 2002

For: APPARATUS AND METHOD
FOR INSTALLING SLATS

Art Unit: 3729

Examiner: Hong, John C.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is:
Transmittal (3 pgs., in duplicate); Amendment in Response to Office Action dated
May 28, 2004 (2 pgs.)

STATUS

2. Applicant
☒ claims small entity status.
☐ is other than a small entity.

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER FOR PATENTS**

Express Mail No.

Date:

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Robert E. Slenker, Reg. No. 45,112

20493/1
PATENT**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
<input type="checkbox"/> first month	\$ 110.00	\$ 55.00
<input type="checkbox"/> second month	\$ 410.00	\$ 205.00
<input type="checkbox"/> third month	\$ 930.00	\$ 465.00
<input type="checkbox"/> fourth month	\$1,450.00	\$ 725.00
<input type="checkbox"/> fifth month	\$1,970.00	\$ 985.00

Fee Due \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension of _____ months has already been secured. The fee paid therefor \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	OR	ADDITIONAL RATE FEE
TOTAL INDEP.		MINUS		=	x \$9 = \$		x \$18 = \$
		MINUS		=	x \$42 = \$		x \$84 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$140 = \$		+ \$280 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

20493/1
PATENT

- (a) ☒ No additional fee for Claims is required

OR

- (b) ☐ Total additional fee for claims required \$

FEE PAYMENT

5. Attached is a check in the sum of \$
☐ Charge Deposit Account No. 01-2384 the sum of \$.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. ☐ Other:



Robert E. Slenker
Reg. No. 45,112
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102
314/621-5070

20493/1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Terry Duane Evans :
Serial No.: 10/065,514 : Art Unit: 3729
Filed: October 25, 2002 : Examiner: Hong, John C.
For: APPARATUS AND METHOD :
FOR INSTALLING SLATS :

RESPONSE TO RESTRICTION REQUIREMENT

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Office Action mailed May 28, 2004, has been carefully reviewed and the following response has been made in consequence thereof.

Claims 1-20 are pending in this application. Claims 1-20 are subject to a restriction and/or election requirement.

In response to the election requirement set forth in the Office Action, Applicant, with traverse, elects for prosecution in this application all claims of Group I as identified in the Office Action. Claims 1-14, drawn to an apparatus, classified in Class 81, are in the elected claim group.

The requirement for election is traversed because the inventions set out by the claims in Groups I and II clearly are related. Applicant submits that a thorough search and examination of any Group would be relevant to the examination of the other Group and would not be a serious burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C.

20493/1
PATENT

Accordingly, Applicant respectfully requests reconsideration of the restriction requirement.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,



Robert E. Slenker
Registration No. 45,112
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070